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July 30, 2019

VIA ECF

Hon. Sarah Netburn
United States District Court for
the Southern District of New York
40 Foley Square, Room 219
New York, NY 10007
Netburn_NYSDChambers@nysd.uscourts.gov

Re: *Vista Food Exchange Inc. v. Lawson Foods, LLC*, No. 1:17-cv-07454
Plaintiff's Letter Regarding Motion for Order Finding Waiver of Attorney-Client Privilege

Dear Judge Netburn,

In order to make a more complete record of Lawson Foods, LLC and Simon Law's discovery misconduct, the communications between Lawson and its former counsel that were the subject of an "at issue" waiver and the crime-fraud exception would be most helpful.

Your Honor took that motion under advisement.

At the evidentiary hearing on July 16, 2019, Simon Law testified about discussions between himself and his counsel. He then sought to blame his former lawyers for misunderstanding him when they drafted his admittedly false and misleading declaration dated August 28, 2018. This reason given at the hearing conflicts with the excuse offered in his corrected declaration dated August 28, 2018 at paragraphs 1-5.

Vista respectfully requests that the Court consider Law's testimony at his deposition, in his corrected affidavit and at the hearing in deciding the waiver issue.

Thank you.

Respectfully Submitted,

JONATHAN C. SCOTT, P.C.


Jonathan C. Scott

cc: Joseph Nohavicka, Counsel for Lawson and Simon Law.